(3)

IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH
AT BILASPUR

WRIT PETITION NO. 3315 /2005

PETITIONER

Suresh Kumar Agrawal, S/o Late Shri Bajrang Agrawal, aged about 48 years, R/o Balaji Road Carrier Near Prabhat Talkies Ganjpara, Raipur, Chhattisgarh.

3427/05
Presented by Sanjay Agrawal
dated 25/7/05

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through: Secretary PWD Department Mantralaya, D.K.S. Bhawan, Raipur, Chhattisgarh.

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2. Superintendent Engineer, National Highway Circle, PWD Raipur, Chhattisgarh.

3. Sub Divisional Officer, National Highway, Sub Division No. 2 PWD, Raipur, Chhattisgarh.

4. Executive Engineer, National Highway, Division No. 2 PWD, Raipur, Chhattisgarh.

WRIT PETITION UNDER ARTCLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF CERTIORARI, MANDUMUS PROHIBITION AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS:

(50)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 3315/05 **सन् 200**

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	27.7.2005 Shri Parag Kotecha, counsel for the petitioner. Shri Devesh Verma, Panel Lawyer for the State. Heard. The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India. The main grievance of the petitioner is that on 21.6.2005 respondent No.4 had invited tender for the remaining work which was allotted to the petitioner, as the petitioner could not complete the work within the stipulated time, with a condition that excess amount of tender will be recovered from the earlier contractor. Counsel for the petitioner submits that the petitioner has already completed work of 12 culverts out of 16, however, he could not complete the remaining work on account of excessive rain, but the petitioner is ready to complete that work. Counsel further submits that if the ~~tender~~ work is allotted to somebody else then the petitioner will suffer loss for no fault on his part and respondents will recover the excess amount incurred on the construction of those four culverts. Therefore, he submits that the petitioner may be allowed to make a representation to respondent No.4 raising all the point that the petitioner is ready to complete the work within the time given by respondent No.4 and in turn respondent No.4 be directed to consider his application, to which learned counsel for the State has no objection. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to	

XI-HC-22

(5)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	-2-	

make a representation to respondent No.4 within a period of seven days from today raising all his points and in turn, respondent No.4 shall decide the representation of petitioner within another 15 days in accordance with law after considering the points raised by the petitioner.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P. No.2832/05 and I.A. No.6376/05 also stand disposed of.

Sd/-
L.C. Bhadoo
Judge

Roshani